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(REPLY TO GARDEN CITY, NY ONLY)

July 14, 2025

VIA ECF

Clerk's Office
United States District Court
District of New Jersey
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101

Re: *Butler, et. al. v. Borough of Haddon Heights, et. al.*
Civil Action No. : 1:24-cv-07733-RMB-SAK
Our File No. : 662-14499

Dear Sir/Madam:

We represent defendants/third-party plaintiffs Brooks Cass and Kristen Cass (collectively "Cass") in the above action. We have attached proposed subpoenas pursuant to FRCP 45 to permit access to properties of several non-parties, to perform a survey.

By way of background, Plaintiff, owners of 509 Guyer Drive, Haddon Heights, New Jersey, alleges, *inter alia*, that their property has flooded due to, at least in part, the installation of a pool at the Cass property, located at 513 Guyer Drive Haddon Heights, New Jersey. To evaluate and defend against this allegation, which is denied, it is necessary that a comprehensive site survey be conducted that will require access to nearby properties. These properties are 505 Guyer Drive, 501 Guer Drive, 513 Guyer Driver, 517 Guyer Drive, 508 12th Avenue, 504 12th Avenue, and 412 12th Avenue.

The surveys are currently scheduled for August 26 and 27, 2025, and will be non-destructive. To provide these non-parties with additional information, we have attached the proposed correspondence to the property owners/tenants to provide contact information so that we can provide more specific date and time information, if requested.

We would, for these reasons, request that the attached subpoenas be executed and returned so that we can effectuate service. Thank you.

Very truly yours,

s/David J. Bloch

DAVID J. BLOCH (DB 8204)

DJB;jh

cc: all counsel of record (w/ enc.)